UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/742,309	12/18/2003	Masaki Kashiwagi	CFA00027US	5665

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EXAMINER
SINGH, SATWANT K

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/742,309	KASHIWAGI, MASAKI
	Examiner	Art Unit	
	Satwant K. Singh	2625	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 December 2003*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *18 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☒ All   b)☐ Some *   c)☐ None of:

   1.☒ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date *See Continuation Sheet*.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :12/19/03, 7/15/05, 9/15/05, and 3/20/06.

DETAILED ACTION

Claim Objections

1.   Claim 12 is objected to because of the following informalities: Claim 12 (a

method claim) is dependent on claim 1 (an apparatus claim). It appears to the examiner

that claim 12 should depend on claim 11. Appropriate correction is required.

Claim Rejections - 35 USC § 101

2.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

3.   Claims 21-30 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter. Claims 21-30 are drawn to a computer

program NOT claimed as embodied on a computer readable medium. Claims 21-30,

while defining a program, do not define a computer program embodied on a "computer-

readable medium" and are thus non-statutory for that reason. A program can range

from paper on which the program is written, to a program simply contemplated and

memorized by a person. The examiner suggests amending the claim to embody the

program on "computer-readable medium" in order to make the claim statutory.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section

351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-5, 7, 8, 10-15, 17, 18, 20-25, 27, 28, and 30 are rejected under 35

U.S.C. 102(e) as being anticipated by Michiie et al. (US 6,980,702).

3.   Regarding Claim 1, Michiie et al disclose an image processing apparatus

comprising: image reading means for reading plural pages of a document (Fig. 1,

reading unit 20); image storage means for storing image data produced by said image

reading means (video memory 87); display means for displaying image data stored in

the image storage means (operational panel 60); and control means (IPU 80) (Figs. 4

and 6) for controlling the reading operation for the plural pages of the document (IPU

controls a scanner, writing of document image data in the video memory, controls image

formation) (col. 5, lines 16-26) and displaying of image data on the display means such

that the stored image data is displayed at an interval during the reading operation

before completing the reading operation for the plural pages of document (CPU 88

(included in the IPU) is capable of transferring the image data read out of the image

data to the operation panel) (col. 6, lines 17-38).

4.   Regarding Claim 2, Michiie et al disclose an image processing apparatus, further

comprising means for executing a binding reading mode wherein, in the binding reading

mode, a series of document sheets are divided into a plural set of document sheets

(video memory is divided into a plurality of areas in accordance with the size or image

data to be processed) (col. 6, lines 24-27), each divided set of document sheets is

separately read (image data representative of a plurality of documents may be

sequentially written to the divided portions of the area of the video memory

corresp9oding to a single paper sheet) (col. 6, lines 9-16), and the plural set of image

read by the plural reading operations are combined and stored as a series of read

image (image data written to the divided portions of the area of the video memory) (col.

6, lines 9-38), wherein the interval is an interval between a first reading process for one

divided set of document sheet and a second reading process for another divided set of

document sheets (plurality of document sequentially written) (col. 6, lines 9-38)..

5.   Regarding Claim 3, Michiie et al disclose an image processing apparatus, further

comprising command acceptance means for accepting a read end command in the

binding reading mode (address and data lines for reading and writing) (col. 6, lines 24-

32), wherein, in the binding reading mode, said control means is adapted to be capable

of displaying image data stored in the image storage means on the display means

before the command acceptance means accepts the read-end command (input and

output of image data executed at the same time) (col. 6, lines 24-32).

6.   Regarding Claim 4, Michiie et al disclose an image processing apparatus,

wherein, in the binding reading mode, said control means is capable of displaying image

data stored in said image storage means on the display means before the second

reading process is started (input and output of image data executed at the same time)

(col. 6, lines 24-32).

7.   Regarding Claim 5, Michiie et al disclose an image processing apparatus,

wherein, in the binding reading mode, said control means is capable of displaying image

data stored in said image storage means on the display means after completion of the

first reading process and before the second reading process is started (input and output

of image data executed at the same time) (col. 6, lines 24-32).

8.   Regarding Claim 7, Michiie et al disclose an image processing apparatus,

wherein in response to completion of the first reading process, inputting of a command

to display image data stored in the image storage means on the display means is

enabled (CPU is cable of transferring the image data read out of the image data to the

operation panel via the I/O port) (col. 6, lines 33-38).

9.   Regarding Claim 8, Michiie et al disclose an image processing apparatus,

wherein in response to completion of the first reading process, inputting of a read-end

command in the binding reading mode is enabled (address and data lines for reading

and writing) (col. 6, lines 24-32).

10.   Regarding Claim 10, Michiie et al disclose an image processing apparatus,

further comprises manual means for temporarily suspending the reading operation for

the series of document sheets and resuming the suspended reading operation, wherein

the interval is provided by said manual means (Fig. 9) (col. 7, lines 23-26).

11.   Regarding Claims 11 and 21, Michiie et al disclose an image processing method

and program comprising: an image reading step for reading a plural pages of a

document (Fig. 1, reading unit 20); an image storage step for storing image data

produced by said image reading means (video memory 87); a display step for displaying

image data stored in the image storage means (operational panel 60); and a control

step (IPU 80) (Figs. 4 and 6) for controlling the reading operation for the plural pages of

the document (IPU controls a scanner, writing of document image data in the video

memory, controls image formation) (col. 5, lines 16-26) and displaying of image data on

the display means such that the stored image data is displayed at an interval during the

reading operation before completing the reading operation for the plural pages of

document (CPU 88 (included in the IPU) is capable of transferring the image data read

out of the image data to the operation panel) (col. 6, lines 17-38).

12.   Regarding Claims 12 and 22, Michiie et al disclose an image processing method

and program, further comprising an execution step for executing a binding reading

mode wherein, in the binding reading mode, a series of document sheets are divided

into a plural set of document sheets (video memory is divided into a plurality of areas in

accordance with the size or image data to be processed) (col. 6, lines 24-27), each

divided set of document sheets is separately read (image data representative of a

plurality of documents may be sequentially written to the divided portions of the area of

the video memory corresp9oding to a single paper sheet) (col. 6, lines 9-16), and the

plural set of image read by the plural reading operations are combined and stored as a

series of read image (image data written to the divided portions of the area of the video

memory) (col. 6, lines 9-38), wherein the interval is an interval between a first reading

process for one divided set of document sheet and a second reading process for

another divided set of document sheets (plurality of document sequentially written) (col.

6, lines 9-38)..

13.   Regarding Claims 13 and 23, Michiie et al disclose an image processing method

and program, further comprising a command acceptance step for accepting a read end

command in the binding reading mode (address and data lines for reading and writing)

(col. 6, lines 24-32), wherein, in the binding reading mode, said control step is adapted to be capable of displaying image data stored in the image storage means on the display means before the command acceptance step accepts the read-end command (input and output of image data executed at the same time) (col. 6, lines 24-32).

14. Regarding Claims 14 and 24, Michiie et al disclose an image processing method and program, wherein, in the binding reading mode, said control step is capable of displaying image data stored in said image storage means on the display means before the second reading process is started (input and output of image data executed at the same time) (col. 6, lines 24-32).

15. Regarding Claims 15 and 25, Michiie et al disclose an image processing method and program, wherein, in the binding reading mode, said control step is capable of displaying image data stored in said image storage means on the display means after completion of the first reading process and before the second reading process is started (input and output of image data executed at the same time) (col. 6, lines 24-32).

16. Regarding Claims 17 and 27, Michiie et al disclose an image processing method and program, wherein in response to completion of the first reading process, inputting of a command to display image data stored in the image storage means on the display means is enabled (CPU is cable of transferring the image data read out of the image data to the operation panel via the I/O port) (col. 6, lines 33-38).

17. Regarding Claims 18 and 28, Michiie et al disclose an image processing method and program, wherein in response to completion of the first reading process, inputting of

a read-end command in the binding reading mode is enabled (address and data lines

for reading and writing) (col. 6, lines 24-32).

18.   Regarding Claims 20 and 30, Michiie et al disclose an image processing method

and program, further comprising a manual step for temporarily suspending the reading

operation for the series of document sheets and resuming the suspended reading

operation, wherein the interval is provided by said manual step (Fig. 9) (col. 7, lines 23-

26).

Claim Rejections - 35 USC § 103

19.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

20.   Claims 6, 9, 16, 19, 26, and 29 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Michiie et al in view of Kanda (US 7,212,307).

21.   Regarding Claim 6, Michiie et al fail to teach an image processing apparatus,

further comprising re-read means for re-reading a document page by said image

reading means and replacing image data corresponding to image data currently

displayed on said display means with image data obtained by the re-reading.

        Kanda teaches an image processing apparatus, further comprising re-read

means for re-reading a document page by said image reading means and replacing

image data corresponding to image data currently displayed on said display means with

image data obtained by the re-reading (image data for each page are read out by

means of the memory/HDD control section for a set number of times) (coll. 6, lines 17-29).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Michiie with the teaching of Kanda to re-read the image data to prevent errors in the output image and make sure the correct image is being output.

22.   Regarding Claim 9, Michiie et al fail to teach an image processing apparatus, wherein a re-read command is allowed to be input to re-read a document page by said image reading means and replace image data currently displayed on said display means with image data obtained by the re-reading.

Kanda teaches an image processing apparatus, wherein a re-read command is allowed to be input to re-read a document page by said image reading means and replace image data currently displayed on said display means with image data obtained by the re-reading (image data for each page are read out by means of the memory/HDD control section for a set number of times) (coll. 6, lines 17-29).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Michiie with the teaching of Kanda to re-read the image data to prevent errors in the output image and make sure the correct image is being output.

23.   Regarding Claims 16 and 26, Michiie et al fail to teach an image processing method and program, further comprising a re-read step for re-reading a document page

by said image reading means and replacing image data corresponding to image data currently displayed on said display means with image data obtained by the re-reading.

Kanda teaches an image processing method and program, further comprising a re-read step for re-reading a document page by said image reading means and replacing image data corresponding to image data currently displayed on said display means with image data obtained by the re-reading (image data for each page are read out by means of the memory/HDD control section for a set number of times) (coll. 6, lines 17-29).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Michiie with the teaching of Kanda to re-read the image data to prevent errors in the output image and make sure the correct image is being output.

24.   Regarding Claims 19 and 29, Michiie et al fail to teach an image processing method and program, wherein a re-read command is allowed to be input to re-read a document page by said image reading means and replace image data currently displayed on said display means with image data obtained by the re-reading.

Kanda teaches an image processing method and program, wherein a re-read command is allowed to be input to re-read a document page by said image reading means and replace image data currently displayed on said display means with image data obtained by the re-reading (image data for each page are read out by means of the memory/HDD control section for a set number of times) (coll. 6, lines 17-29).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to have combined the teachings of Michiie with the teaching of Kanda to

re-read the image data to prevent errors in the output image and make sure the correct

image is being output.

Conclusion

25.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Kurihara et al. (US 5,901,278) discloses a copier for recording images of plural

documents on recording sheets.

Ogaki et al. (US 6,643,028) discloses a digital copying machine to be connected

to a network to read the images for the original and print the read images in each

document unit for each page in a printing form selected by the user.

Michiie et al. (US 7,142,730) discloses an image processing apparatus including

an image storage for storing image data.

Kanamori (US 7,173,740) discloses a system which can obtain the same output

irrespective of a reading system by previously storing different parameters.

Sturgeon et al. (US 7,190,480) discloses a system for scanning batch-type

documents containing indicia on either a single side or on two sides of each document
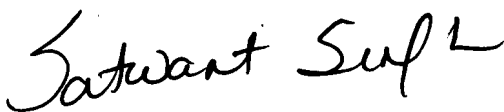
sheet.

Contact Information

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Satwant K. Singh whose telephone number is (571)

272-7468. The examiner can normally be reached on Monday thru Friday 8am -

4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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